

REFERENCE TITLE: labor; rest periods; meal breaks

State of Arizona
House of Representatives
Forty-eighth Legislature
Second Regular Session
2008

HB 2576

Introduced by
Representatives Pancrazi: Brown, Chabin, Lopes, Lopez, McGuire, Thrasher,
Senators Aboud, Aguirre, Pesquiera

AN ACT

AMENDING TITLE 23, CHAPTER 2, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING
SECTION 23-204; RELATING TO WORKING CONDITIONS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 23, chapter 2, article 1, Arizona Revised Statutes,
3 is amended by adding section 23-204, to read:

4 23-204. Meal breaks; rest periods; exemption

5 A. AN EMPLOYER SHALL ALLOW EACH EMPLOYEE TO TAKE AT LEAST ONE THIRTY
6 MINUTE MEAL BREAK DURING EVERY CONTINUOUS EIGHT HOURS OF LABOR PERFORMED.

7 B. AN EMPLOYER SHALL ALLOW EACH EMPLOYEE TO TAKE AT LEAST ONE TEN
8 MINUTE REST PERIOD DURING EVERY FOUR HOURS OF LABOR PERFORMED. THE EMPLOYER
9 SHALL NOT DEDUCT ANY WAGES FROM THE EMPLOYEE FOR THE PERIOD OF TIME THAT THE
10 EMPLOYEE IS PARTICIPATING IN A REST PERIOD.

11 C. THIS SECTION DOES NOT APPLY TO EITHER OF THE FOLLOWING:

12 1. A LOCATION WHERE ONLY ONE PERSON IS EMPLOYED.

13 2. EMPLOYEES WHO ARE COVERED UNDER A COLLECTIVE BARGAINING AGREEMENT.

14 D. AN EMPLOYER MAY APPLY TO THE INDUSTRIAL COMMISSION FOR AN EXEMPTION
15 TO THIS SECTION. THE INDUSTRIAL COMMISSION SHALL CONDUCT A HEARING REGARDING
16 THE EXEMPTION REQUEST AND MAY GRANT THE EXEMPTION IF THE EMPLOYER PROVIDES
17 SUFFICIENT EVIDENCE THAT BUSINESS NECESSITY PRECLUDES PROVIDING THE BENEFITS
18 UNDER THIS SECTION. AN EXEMPTION UNDER THIS SECTION SHALL APPLY TO MALE AND
19 FEMALE EMPLOYEES.

20 E. THE INDUSTRIAL COMMISSION SHALL ADOPT RULES FOR THE PURPOSES OF
21 IMPLEMENTING SUBSECTION D.